

REMARKS

Claims 1-14, 16-26, 28, and 29 are pending. Claims 1, 8, 14, 17, 20, and 23 are independent. Claims 15 and 27 have been canceled. Claims 28 and 29 have been newly added by this amendment.

In the Office Action, the Examiner rejected claims 1-27 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,611,740 to Lowrey et al. (Lowrey). Applicants respectfully traverse the rejection of claims 1-27 under 35 U.S.C. 102(e) for at least the reason that Lowrey fails to disclose every element of claims 1-7. For example, independent claim 1 claims a method for analyzing machine data including, among other things, "defining [a] testing procedure includ[ing] conditioning at least one diagnostic process to execute automatically based on the results of at least one other diagnostic process." Claim 8 claims a system for analyzing machine data including, among other things, "an analyzer . . . configurable to execute at least one diagnostic process automatically based on the results of at least one other diagnostic process." Lowrey does not disclose these limitations. Rather, Lowrey discloses a technician logged onto a website who can select new testing schema based on analysis of data. (Col. 7, lines 14-25) Therefore, the rejection of claims 1 and 8 under 35 U.S.C. 102(e) based on Lowrey should be withdrawn.

Claim 14 claims a method for analyzing machine data including, among other things,

defining at least one testing procedure . . . wherein said defining step includes the steps of: selecting at least one test to be associated with said machine data; defining at least one parameter associated with said at least one test; defining at least two limits for the at least one parameter,

wherein machine data that exceeds at least one of the limits is considered a machine exception.

Claim 17 claims a system for analyzing machine data including, among other things an

owner input device . . . configured to accept owner input to: select at least one test to be associated with said machine data; define at least one parameter associated with said at least one test; define at least two limits for the at least one parameter, wherein machine data that exceeds at least one of the limits is considered a machine exception.

Lowrey fails to disclose these limitations, as well. Therefore, the rejection of claims 14 and 17 under 35 U.S.C. 102(e) based on Lowrey should be withdrawn.

In addition, Lowrey fails to disclose a method for providing an exception-based report having all the claimed limitations including, for example, the step of “analyzing one or more sets of machine data based on prior input made on board the machine by an owner selecting a testing procedure,” (Emphasis added) as recited in claim 20.

Lowrey also fails to disclose a system for providing an exception-based report including, among other things, “an owner input device located on board the machine,” (Emphasis added) and having all the limitations set forth in claim 23. Therefore, the rejection of claims 20 and 23 under 35 U.S.C. 102(e) based on Lowrey should also be withdrawn.

Support for the subject matter added to claims 1 and 8 may be found in the specification, for example, in paragraphs [29], [34], and [36]. Support for the subject matter added to claims 14 and 17 may be found, for example, in paragraph [28]. Support for the subject matter added to claims 20 and 23 may be found, for example, in paragraph [19]. New claims 28 and 29 have been added to more clearly define certain exemplary embodiments. Support for the subject matter in new claims 28 and 29 may be found, for example, in paragraph [19] of the specification.

For the reasons stated above, each of independent claims 1, 8, 14, 17, 20, and 23 are allowable. Dependent claims 2-7, 9-13, 16, 18, 19, 21, 22, 24-26, 28, and 29 each depend from one of claims 1, 8, 14, 17, 20, and 23 and are, therefore, allowable for at least the same reasons that the respective claims from which they depend are allowable. Additionally, these dependent claims include further limitations that distinguish from the prior art.

The Office Action contains characterizations and conclusions regarding the related art and Applicants' claims with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any such characterizations and conclusions.

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of this application, withdrawal of the § 102(e) rejection based on Lowrey, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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